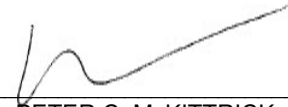


Below is an order of the court.

  
\_\_\_\_\_  
PETER C. MCKITTRICK  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF OREGON

In Re: )  
PETER SZANTO, ) Bankruptcy Case No.  
 ) 16-33185-pcm7  
 )  
 ) ORDER DENYING  
 ) DOC. 970  
Debtor. )  
\_\_\_\_\_ )

On December 5, 2017, the court entered an Order Converting Chapter 11 Case to Case Under Chapter 7 (the Conversion Order). Doc. 278. The conversion of this case had several consequences, including the creation of a chapter 7 bankruptcy estate under the authority of a chapter 7 trustee. Almost a year after entry of the Conversion Order, Debtor filed a motion for reconsideration of the Conversion Order (the Motion for Reconsideration), Doc. 620, which this court denied. Doc. 652. In January of 2020, the United States District Court for the District of Oregon (the District Court) determined that Debtor failed to timely appeal the Conversion Order and affirmed denial of the Motion for Reconsideration. Doc. 879.

1 Now, Debtor has filed a document captioned Peter Szanto's Notice of  
2 Demand for Immediate Return of all of Peter Szanto's Bankruptcy Estate  
3 Assets and All of Susan Szanto's Separate Property Assets (the Demand).  
4 Doc. 970. In the Demand, Debtor argues that he is entitled to return of  
5 "all his Bankruptcy estate's assets" and the alleged separate property of  
6 his wife, which Debtor contends has been "impermissibly seized and  
7 improperly co-mingled with" bankruptcy estate assets. Demand, pp. 2-3  
8 (emphasis removed). Debtor does not request a hearing and the court  
9 determines that a hearing is not necessary. LBR 7007-1(d)(1).

10 The Demand is the latest example of Debtor's long-standing efforts  
11 to avoid the consequences of the conversion of this case to chapter 7,  
12 all of which efforts this court has denied. Those efforts include, but  
13 are not limited to, the following: (1) Doc. 295 (Debtor's Motion for  
14 Leave to Spend Estate Assets for Ordinary and Necessary Living Expenses);  
15 (2) Doc. 341 (Debtor's Motion to Remove the Chapter 7 Trustee); (3) Doc.  
16 384 (Debtor's Motion to Dismiss or Convert Chapter 7 Proceeding); (4)  
17 Doc. 620 (the Motion for Reconsideration); and (5) Doc. 870 (Debtor's  
18 Notice of Amendment of Bankruptcy Petition).<sup>1</sup>

19 As a threshold matter, the Demand is completely devoid of any  
20 evidentiary support for the factual assertions made therein. The Demand  
21 is also completely lacking in any reasoned argument. The Bankruptcy Code  
22 and Federal Rules of Bankruptcy Procedure include specific and detailed  
23

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24 <sup>1</sup> In the Notice of Amendment of Bankruptcy Petition, Debtor  
25 purports to unilaterally terminate this chapter 7 case. Both this court  
26 and the District Court have explained to Debtor that his attempt to  
unilaterally terminate this chapter 7 case was ineffective. See District  
Court Case No. 3:18-cv-939-SI, Doc. 61.

1 instructions regarding the distribution of estate assets. See Bankruptcy  
2 Code, Chapter 7, Subchapter II; Fed. R. Bankr. P., Part III.  
3 Administration of this chapter 7 case is not complete. There is no  
4 authority under which this Court may bypass applicable statutes and rules  
5 and allow the release of estate funds to Debtor. Finally, to the extent  
6 Debtor is attempting to raise claims on behalf of his wife, this court  
7 has repeatedly told Debtor that he does not represent, and may not assert  
8 claims on behalf of, his wife. If Debtor's wife wishes to assert claims  
9 in this bankruptcy case, she must do so personally or via a licensed  
10 attorney.

11 The Demand is latest of many frivolous motions and documents Debtor  
12 has filed in this bankruptcy case and related adversary proceedings.

13 Therefore, for the reasons set forth above,

14 IT IS HEREBY ORDERED that the Demand is DENIED.

15 ###

16 cc: Peter Szanto (via ECF)  
17 Chapter 7 Trustee (via ECF)  
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